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SEP 20 2005

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CLERK OF DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

EMILY TREVETHAN,

Defendant.

No. CR 05-00516-JF

**ORDER OF THE COURT EXCLUDING
TIME**

The above-captioned case came before the court on Monday, September 19, 2005 at 9:30 a.m. for continued detention hearing. The defendant was personally present and was represented by counsel. Counsel for the United States was present. At the conclusion of the hearing, the court ruled as follows:

Upon request of the government and the defendant, the court hereby sets this case for initial appearance in district court before the Honorable Jeremy Fogel to take place on Thursday, October 5, 2005 at 9:00 a.m.

ORDER CR 05-00516-JF

Pursuant to Title 18, United States Code, Section 3161(h)(8), the court excludes the period of time from August 30, 2005 through and including October 5, 2005, from the computation of the period of time within which the trial must commence. The court FINDS that the ends of justice served by the delay outweigh the best interest of the public and the defendant in a speedy trial. The court bases this finding on 1) the pendency of a detention hearing and a motion for pre-trial release from custody made by the defendant on August 30, 2005 and not ruled on by the court until September 19, 2005 and 2) the need of counsel for the defendant to review voluminous discovery in this case that was recently provided to him by the government and to afford counsel the reasonable time necessary for effective preparation, within the meaning of 18 U.S.C. Sections and 3161(h)(1)(F) and 3161(h)(8)(B)(iv), respectively.

IT IS SO ORDERED.

DATED: 9/20/05


PATRICIA V. TRUMBULL
United States Magistrate Judge

Copies to be served on:

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